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3 Eastern District of California

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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

12 UNITED STATES OF AMERICA,)	CASE NO. 4:04-cr-40154-CW
13 Plaintiff,)	STIPULATION TO CONTINUE
14 v.)	SENTENCING HEARING
15 MARVIN JEFFERY, JR.,)	AND PROPOSED ORDER
16 Defendant.)	OAKLAND VENUE

17
18 Stipulation

19 The parties stipulate that the sentencing hearing may be
20 continued from January 30, 2008, to March 26, 2008, at 2:00 p.m.
21 The undersigned prosecutor has obtained and disclosed to defense
22 counsel the relevant materials relating to the issue of restitution,
23 and counsel is reviewing those materials with her client. Those
24 materials must also be supplied to the Probation Officer, who plans
25 to prepare an updated final pre-sentence investigation report.

26 The undersigned prosecutor is still awaiting input from the
27 Northern District prosecutor regarding the appropriateness of any
28 U.S.S.G. § 5K1.1 reduction.

FILED

JAN 24 2008

RECEIVED

JAN 18 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

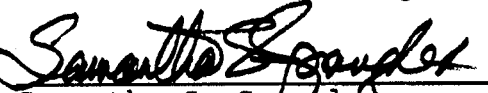
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

1 Now that this case is actually approaching sentencing, counsel
2 for both parties agree that it would be appropriate to schedule
3 deadlines for disclosure of the final PSR, filing motions to correct
4 or other sentencing memoranda, and filing any reply briefs, as set
5 forth in the proposed order below. The undersigned prosecutor has
6 communicated with the Probation Officer, who has approved the new
7 date. Ms. Condes, counsel for the defendant, has reviewed this
8 stipulation electronically and has authorized the prosecutor to sign
9 it on her behalf.


10 DATED: January 18, 2008

McGREGOR W. SCOTT
United States Attorney

11
12 by


Samantha S. Spangler
Assistant U.S. Attorney

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14
15 DATED: January 18, 2008


for ELENA CONDES
Attorney for Defendant
Marvin Jeffery, Jr.

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18 Order

19 Good cause appearing, the sentencing hearing is continued and a
20 new schedule is established as follows:

21 Disclosure of updated final PSR: February 27, 2008;

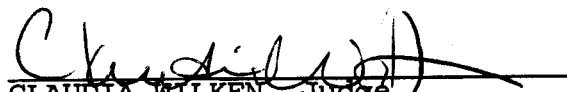
22 Motions to Correct PSR or other sentencing memoranda: March
23 12, 2008;

24 Any reply briefs: March 19, 2008;

25 Judgment and Sentencing Hearing: March 26, 2008, at 2:00 p.m.

26 IT IS SO ORDERED.

27 DATED: January 22, 2008


CLAUDIA WILKEN, Judge
United States District Court

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Eastern District of California and is a person of such age and discretion to be competent to serve papers.


That on January 18, 2008, she served a copy of the attached:

STIPULATION CONTINUING SENTENCING HEARING
AND [PROPOSED] ORDER

by placing said copy in an envelope addressed to the persons hereinafter named, at the addresses stated below, which are the last known addresses of said persons and by placing it in the United States mail.

Elena Condes
Attorney at Law
1010 Grayson Street, Suite Two
Berkeley, CA 94710

Christina Carrubba
U.S. Probation Officer
1301 Clay Street, Suite 220S
Oakland, CA 94612


Samantha S. Spangler
Assistant U.S. Attorney